

OCT - 3 2005

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For The Northern Mariana Islands  
By \_\_\_\_\_  
(Deputy Clerk)

8 **Attorneys for Plaintiff William Kaipat**

9 **IN THE UNITED STATES DISTRICT COURT**  
10 **FOR THE NORTHERN MARIANA ISLANDS**

11 **WILLIAM KAIPAT as personal**  
12 **representative of KIMITOSY WILLY,**  
13 **deceased,**

14 **Plaintiff,**

15 **vs.**

16 **TATSUYA OIKE,**

17 **Defendant.**

) **CIVIL CASE NO. 05-0025**

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) **CASE MANAGEMENT CONFERENCE**

) **STATEMENT**

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**DATE:** OCT - 5 2005  
**TIME:** 9:00 A.M.

18 Plaintiff, by and through counsel, and in accordance with Rule 16(b) and (c),  
19 Fed.R.Civ.Pro. and Local Rule 16(e)(2) hereby submits his Case Management Conference  
20 Statement.

21 **INTRODUCTION**

22 This is a wrongful death case resulting from a motor vehicle accident. Defendant  
23 Tatsuya Oike was operating a motor-scooter which struck and killed the decedent, Mr.  
24 Kimitosy Willy. The Plaintiff in this matter, Mr. William Kaipat, was duly appointed as the  
25 administrator of Mr. Willy's estate and brought this action in that capacity.

ORIGINAL

**CASE MANAGEMENT STATEMENT**

(a) Defendant Tatsuya Oike has been duly served.

(b) Plaintiff believes the Court has jurisdiction and the venue properly lies with this Court as well.

(c) Plaintiff believes this case should be assigned the Expedited Tract but allow each party to call expert witnesses and conduct discovery according to the limits set forth in the Standard Tract.

(d) Plaintiff anticipates that he may file a Motion for Summary Judgment at the close of discovery.

(e) Plaintiff anticipates discovery will be necessary and requests that the parties be allowed the limit for discovery set forth in the Standard Tract.

(f) Plaintiff anticipates discovery can be accomplished within four months and trial can be sent in six to nine months.

(g) Plaintiff does not anticipate the need for any special procedures except this case should be readily resolvable. Plaintiff therefore requests a settlement conference within the month of November, 2005, before litigation costs impede the possibility for settlement.

(h) Plaintiff requests that the Expedited Tract be modified to allow discovery and the potential testimony of expert witnesses.

1  
2 (i) Plaintiff is open to any reasonable settlement of this matter provided it truly is  
3 fair and made early enough to avoid expensive litigation costs.

4  
5 (j) This matter may be justly, efficiently and economically resolved if there is a  
6 settlement conference before litigation costs impede settlement prospects.

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8 (k) The Court should set dates convenient for the Court and all parties and as  
9 discussed in items (c), (e), (f) and (g).

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11 Dated: October 3, 2005

O'CONNOR BERMAN DOTTS & BANES  
Attorneys for Plaintiff William Kaipat

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15 By: 

16 DAVID G. BANER  
17 Bar ID #0171  
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